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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,107	04/14/2004	Wayne O. Duescher	638.014US1	7549

7590 01/15/2009
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Edina, MN 55435

EXAMINER

LAZORCIK, JASON L

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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01/15/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WAYNE O. DUESCHER

Application No. 10/824,107
Technology Center 1700

Mailed: January 15, 2009

Before GLORIA HENDERSON, *Review Team Paralegal*
HENDERSON, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on June 4, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

A review of the file indicates that the appellant filed a “PETITION FOR EXTENSION OF TIME” and “COMMUNICATION RE: NON-PATENT

Application No. 10/824,107

REFERENCES” on February 8, 2008. However, there is no indication that the Examiner considered the papers filed on February 8, 2008.

Accordingly, it is

ORDERED that the application is being electronically returned to the examiner for consideration and proper response to the “PETITION FOR EXTENSION OF TIME” and “COMMUNICATION RE: NON-PATENT REFERENCES” filed on February 8, 2008 and for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

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